

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA,

CRIMINAL DIVISION

v.

CC NO.: 2012 02820

THADDEUS THOMAS CRUMBLEY,  
Defendant.

THE HONORABLE BETH LAZZARA

**MOTION TO COMPEL ADDITIONAL  
DISCOVERY/  
MOTION TO PROVIDE  
TRANSCRIPT FOR ANY  
RECORDINGS PROVIDED IN  
DISCOVERY/  
MOTION TO SPECIFY  
PHOTOGRAPHS AND RECORDINGS  
TO BE UTILIZED DURING TRIAL BY  
THE COMMONWEALTH/  
MOTION TO COMPEL DISCLOSURE  
OF COMMONWEALTH'S EXPERT  
WITNESS(S), TESTIMONY, AND  
OPINION(S)**

Filed on Behalf of Defendant:  
Thaddeus Thomas Crumbley

Counsel of Record for this Party:

Wendy L. Williams  
PA I.D. #50379

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DEPT. OF COURT RECORDS  
CRIMINAL DIVISION  
ALLEGHENY COUNTY PA

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MOTION TO PROVIDE TRANSCRIPT FOR ANY RECORDINGS PROVIDED IN  
DISCOVERY/  
MOTION TO SPECIFY PHOTOGRAPHS AND RECORDINGS TO BE UTILIZED  
DURING TRIAL BY THE COMMONWEALTH/  
MOTION TO COMPEL DISCLOSURE OF COMMONWEALTH'S EXPERT  
WITNESS(S), TESTIMONY, AND OPINION(S)**

AND NOW, comes the Defendant, Thaddeus Thomas Crumbley, by and through his attorney, Wendy L. Williams, and avers the following:

**MOTION TO COMPEL ADDITIONAL DISCOVERY**

1. The Defendant in the above captioned case was charged with Count One: Criminal Homicide, Count Two: Robbery—Inflicting Serious Bodily Injury, Count Three: Robbery of Motor Vehicle, Count Four: Possession of a Firearm Prohibited, Count Five: Firearms Not to be Carried Without a License, and Count Six: Conspiracy.
2. The information requested is important to the Defense of this case. Defense Counsel needs to obtain the following Discovery from the District Attorney's Office:
  - a. Defense Counsel has been advised that *the witness, Richard Carpenter, (and any other witnesses) was placed in Witness Protection and therefore possibly was relocated and given rent, expenses, and consideration related to this case. Counsel would like all redacted records of this and amounts and type of consideration given to the witness and their family (except witness' current address).*
  - b. Identify cooperating witness(s), all cases any witness(s) have or are cooperating in and police reports and any testimony, recordings or statements of such, including interviews, both formal and informal;
  - c. Any promised or future consideration given included but not limited to leniency, money, and participation in any witness protection program.

- d. All notes and dates of interviews of any cooperating witness(s);
- e. Any charges or **potential** charges or uncharged misconduct pending while this incident and prosecution occurred;
- f. Information of any sentence, probation or otherwise, any Commonwealth witness(s) is now serving, or would have been serving.

WHEREFORE, the Defendant respectfully requests that this Honorable Court compel the Commonwealth to release to the Defendant's attorney, Wendy L. Williams, the information requested.

**MOTION TO PROVIDE TRANSCRIPT FOR ANY RECORDINGS PROVIDED IN  
DISCOVERY**

The paragraphs 1-2 of the Omnibus Pretrial Motion are hereby incorporated by reference.

- 3. Provide a transcript(s) for any recording originally on a CD/DVDs provided in the discovery process, so that Counsel may specifically reference segments, the 911 calls, or statements from such recording during Trial.
- 4. Specifically, Counsel has received recordings in the form of a statement from Richard Carpenter, a Commonwealth witness, and redacted 911 calls.

WHEREFORE, the Defendant respectfully requests that this Honorable Court compel the Commonwealth to provide transcripts for any recordings, specifically including for the Richard Carpenter interview and statement, and the redacted 911 calls, but not limited, provided in the discovery process.

**MOTION TO SPECIFY PHOTOGRAPHS AND RECORDINGS TO BE UTILIZED  
DURING TRIAL BY THE COMMONWEALTH**

The paragraphs 1-4 of the Omnibus Pretrial Motion are hereby incorporated by reference.

- 5. Counsel filed her appearance and requested discovery on Thursday, April 12, 2012.
- 6. Counsel received the initial discovery on Monday, May 14, 2012.
- 7. Counsel received supplemental discovery on Tuesday, May 29, 2012, including four discs including several hundred photographs from 2011 and two several-hundred page stacks of documents.
- 8. Trial was listed to begin on Monday, June 11, 2012 before this Honorable Court.

9. Due to the sheer volume and breadth of the photographs and recordings provided in the discovery, a list of the specific photographs and recordings to be used in Trial by the Commonwealth prior to Trial is necessary for proper preparation by Counsel.
10. Additionally, a copy of those specific photographs and recordings to be used in Trial be provided separately to Counsel.
11. In the alternative to the request for a list of specific photographs and recordings to be used in Trial by the Commonwealth, Defendant respectfully requests that all evidence turned over so late in the trial preparation process be excluded.

WHEREFORE, the Defendant respectfully requests that this Honorable Court either compel the Commonwealth to produce a list of the specific photographs and recordings to be used in Trial with a copy of just those specific photographs and recordings to Counsel.

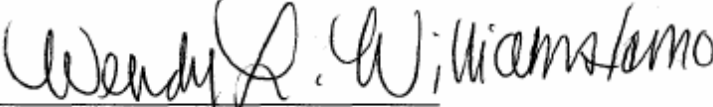
**MOTION TO COMPEL DISCLOSURE OF COMMONWEALTH'S EXPERT  
WITNESS(S), TESTIMONY, AND OPINION(S)**

The paragraphs 1-11 of the Omnibus Pretrial Motion are hereby incorporated by reference.

12. Identify all witnesses who are going to be presented by the Commonwealth to be "expert witnesses" including Police Officers, Detectives, Crime Lab Personnel, Medical Personnel including Nurses, Physicians, and Hospital Employees, and Firearms Experts, per the notice given via "Stamp" on the laboratory reports in this matter.
13. Disclose the specific subject matter, and the basis of their testimony and opinions as to driving impaired; for fair cross- examination and rebuttal,
14. Disclose their qualifications; including special training and education;
15. Disclose whether they have testified before as an expert in their fields of expertise, and if so, to disclose those cases, and;
16. State whether the subject matter examined is still available and, if so, to produce it, under such circumstances, prior to the Trial, as will permit the attorney for the Defendant to examine the subject matter and arrange for its examination by experts possible selected to testify in rebuttal by the Defense.

WHEREFORE, the Defendant respectfully requests that this Honorable Court to compel the Commonwealth's expert witness and testimony and opinion.

Respectfully Submitted,

  
Wendy L. Williams



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CC NO.: 2012 02820

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Defendant.

**PRELIMINARY ORDER OF COURT**

AND NOW, to-wit, upon consideration of the foregoing Motion To Compel Additional  
Discovery/ Motion To Provide Transcript For Any Recordings Provided In Discovery/ Motion  
To Specify Photographs And Recordings To Be Utilized During Trial By The Commonwealth/  
Motion To Compel Disclosure Of Commonwealth's Expert Witness(s), Testimony, And  
Opinion(s); it is hereby ORDERED, ADJUDGED and DECREED that a hearing be held on the  
\_\_\_\_\_ day of \_\_\_\_\_, 2012 at \_\_\_\_\_ A.M./P.M.

BY THE COURT:

\_\_\_\_\_, J.

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Defendant.

THE HONORABLE BETH LAZZARA

**ORDER OF COURT**

AND NOW, to-wit, this \_\_\_\_\_ day of \_\_\_\_\_, 2012 upon consideration of the foregoing Motion To Compel Additional Discovery/ Motion To Provide Transcript For Any Recordings Provided In Discovery/ Motion To Specify Photographs And Recordings To Be Utilized During Trial By The Commonwealth/ Motion To Compel Disclosure Of Commonwealth's Expert Witness(s), Testimony, And Opinion(s), it is hereby ORDERED, ADJUDGED, and DECREED that the Motion is hereby:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

BY THE COURT:

\_\_\_\_\_, J.

**CERTIFICATE OF SERVICE**

I, Wendy L. Williams, hereby certify that a true and correct copy of the within Motion To Compel Additional Discovery/ Motion To Provide Transcript For Any Recordings Provided In Discovery/ Motion To Specify Photographs And Recordings To Be Utilized During Trial By The Commonwealth/ Motion To Compel Disclosure Of Commonwealth's Expert Witness(s), Testimony, And Opinion(s) was served in the manner indicated, this 8<sup>th</sup> day of June, 2012 upon the following:


The Honorable Beth Lazzara  
509 Allegheny County Courthouse  
436 Grant Street  
Pittsburgh, PA 15219  
Via Hand-Delivery

DDA Steven Stadtmiller  
c/o Allegheny County District Attorney's Office  
401 Allegheny County Courthouse  
436 Grant Street  
Pittsburgh, PA 15219  
Via Hand-Delivery

Helen Lynch, Court Administrator  
Allegheny County Courthouse  
436 Grant Street  
Pittsburgh, PA 15219  
Via Hand Delivery

Mr. Randall McKinney  
rhmc@randallmckinneylaw.com  
Via Email

Mr. Thaddeus Thomas Crumbley, DOC#: 69038, Pod: 8D  
c/o Allegheny County Jail  
950 2<sup>nd</sup> Avenue  
Pittsburgh, PA 15219  
Via U.S. Mail

  
Wendy L. Williams